

# District Attorney

Brad Fenocchio, District Attorney

## **MISSION STATEMENT**

To pursue justice, protect victims' rights and public safety on behalf of the people of the State of California and the County of Placer. Through vigorous, equal, and efficient enforcement of the criminal law, prosecutors working on behalf of the Office of the District Attorney represent the people of the State of California in the criminal justice system and work with law enforcement agencies to assure the rights of the innocent, to prosecute and hold accountable the guilty, and to protect victims' and witnesses' rights.

## DISTRICT ATTORNEY FUND 110 / APPROPRIATION 21710

	Actual 2002-03	Budget 2003-04	Requested 2004-05	Recommended 2004-05	Change %	Adopted 2004-05
<b>Expenditures</b>						
Salaries and Employee Benefits	\$ 8,000,261	\$ 9,100,900	\$ 10,143,791	\$ 9,900,407	9%	\$ -
Services and Supplies	1,261,322	1,494,169	1,766,151	1,128,439	-24%	-
Other Charges	73,100	-	-	-	0%	-
Intra Fund Charges	868,315	1,020,357	910,983	910,983	-11%	-
<b>Gross Budget:</b>	<b>10,202,998</b>	<b>11,615,426</b>	<b>12,820,925</b>	<b>11,939,829</b>	<b>3%</b>	<b>-</b>
Intra Fund Credits	(4,254,395)	(57,359)	(57,359)	(57,359)	0%	-
<b>Net Budget:</b>	<b>\$ 5,948,603</b>	<b>\$ 11,558,067</b>	<b>\$ 12,763,566</b>	<b>\$ 11,882,470</b>	<b>3%</b>	<b>\$ -</b>
<b>Revenue</b>						
Fines, Forfeits and Penalties	\$ 75,786	\$ 117,600	\$ 102,600	\$ 102,600	-13%	\$ -
Intergovernmental Revenue	4,523,120	4,573,458	4,890,959	4,890,959	7%	-
Charges for Services	59,880	48,364	48,364	48,364	0%	-
Other Financing Sources	-	6,840,547	6,840,547	6,840,547	0%	-
<b>Total Revenue:</b>	<b>4,658,786</b>	<b>11,579,969</b>	<b>11,882,470</b>	<b>11,882,470</b>	<b>3%</b>	<b>-</b>
<b>Net County Cost:</b>	<b>\$ 1,289,817</b>	<b>\$ (21,902)</b>	<b>\$ 881,096</b>	<b>\$ -</b>	<b>-100%</b>	<b>\$ -</b>
Allocated Positions	107	107	107	107	0%	-

## CORE FUNCTION

### District Attorney Services

Prosecutes serious and violent crime throughout the County and assists with criminal investigations conducted by law enforcement agencies, makes reasonable and ethical decisions in initiating prosecutions, provides aid and assistance to those who have been victimized by crime and directs resources to prosecute criminal misconduct.

### FY 2003-04 Major Accomplishments

- Successfully obtained resolutions in 7,200 criminal cases.
- Successfully provided 24-hour standby assistance to law enforcement agencies.
- Successfully provided 24-hour standby assistance to victims of domestic violence and elder abuse.
- Successfully implemented cost savings activities to limit expenditure without compromising the effective prosecution of any criminal case.
- Reduced operating expenses in an effort to conform to County Executive Office and Board of Supervisors expectations.

### Public Protection Services

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## FY 2004-05 Planned Accomplishments

- Continue to appropriately investigate, review and charge criminal cases in a timely manner.
- Continue to obtain timely resolutions of criminal cases.
- Continue to seek justice for the victims of crime.
- Continue to ensure that victims receive appropriate restitution.
- Continue to ensure that defendants are appropriately punished for their criminal conduct.
- Continue to provide support to victims and witnesses through the Victim Witness Program.
- Continue to be available to law enforcement officers 24 hours a day for assistance.
- Continue to provide legal training to law enforcement agencies.
- Continue to pursue additional office revenue and cost reduction activities.
- Continue work on the development of the South Placer Criminal Justice Facility.

## Department Comments

We have worked hard this past year in an environment where growth has brought an increase in law enforcement personnel and a resultant increase in criminal case referrals, as we also attempted to downwardly adjust our necessary expenses to fit within budgetary recommendations.

We were successful in maintaining service levels.

It will be our continuing challenge to maintain a high level of service and meet law enforcement's and the public's expectations in an environment where our own resources may be shrinking.

This office stands ready to do whatever is reasonable in order to continue performing its duty of assuring the public's safety while, simultaneously, adjusting to the possibility of losing staff through attrition, without funding to replace them; while cutting back on expenditures that could impact case investigation and preparation; and while possibly reducing the number of office locations serving the justice system.

The pressures to maintain our high level of service are understandable and this service expectation will naturally expand with the population increase. The pressures to reduce the costs of providing that same level of service are equally understandable in an economic environment such as the one that currently exists. We remain committed to securing the public's safety. To secure that commitment, we are hopeful that the necessary funds become available.

## County Executive Comments And Recommendations

The recommended gross expenditures have increased by 2.8% over FY 2003-04, with increases occurring in costs for personnel and charges from other departments. Public safety revenues (including public safety sales taxes and intergovernmental grants and revenues) are not adequate to fund the department's requested budget. Accordingly, to help pay for these cost increases and help mitigate potential service level impacts, the District Attorney has implemented cost saving measures, including maintaining position vacancies, negotiating reduced costs for services provided and instituting operational efficiencies. Given the uncertainty of future impacts related to the state and limited discretionary funding, the General Fund contribution to this budget remains at the FY 2003-04 level for a total of \$6,240,547.

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The department's requested budget does not include funding for four vacant positions (a victim witness advocate, which is dependent upon state funding, an investigator, which is dependent upon Child Support Services reimbursements, an administrative technician and an attorney for one half of the year). Not included in the proposed budget, because of inadequate public safety revenues, are requests for additional funding augmentations of \$243,384 for personnel and benefit costs, \$500,000 for new case management software and ancillary costs and \$137,712 for the current system maintenance charges. Revenues have been revised to reflect current projections. The County Executive Office will work with the District Attorney and prepare additional budget recommendations as part of the final budget based upon the actual carryover public safety fund balance, the District Attorney's current priorities, and after considering the results of the technology feasibility study.

The District Attorney is continuing to assess how best to allocate available resources and mitigate service level impacts. Given the funding constraints, it is important that the public protection system continue to collaboratively seek systemwide economies and efficiencies, and review systemwide priorities, strategies and programs to ensure that available resources are directed to the most critical priorities of the District Attorney, Probation Department, and Sheriff. Additional budget adjustments may be necessary to ensure a balance between available revenues and planned expenditures if the carryover public safety fund balance and revenues, including public safety sales taxes and other intergovernmental revenues from the state, are not fully realized.

Department requested funding considerations for final budget:

- Augment funding for salaries and benefits (\$243,384)
- Augment funding for a new case management system (\$500,000)
- Augment funding for services and supplies (\$137,712)

## CORE FUNCTION: DISTRICT ATTORNEY

### General Criminal Case Determinations Program

**Program Purpose:** To review and file charges in criminal cases and to represent the people in the State of California and County of Placer in court in order to hold the guilty accountable and protect public safety.

**Total Expenditures:** \$10,513,158

**Total Staffing:** 81.0

- **Key Intended Outcome:** To effectively represent the people in the state and County of Placer in court.

General Criminal Case Determinations Indicators:	Actual 2002-03	Projected 2003-04	Target 2004-05
# of felony/misdemeanor/ juvenile and drug court appearances**	60,983	64,140	67,347
# of felony cases filed**	2,004	2,092	2,197
# of misdemeanor cases filed**	4,288	5,052	5,305
# of juvenile cases filed**	805	668	701
% of felony conviction rate*	N/A	93%	93%
% of misdemeanor conviction rate*	N/A	94%	94%
% of juvenile conviction rate*	N/A	94%	94%
# of felony family protection cases convicted	N/A	139	146

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# of misdemeanor family protection cases convicted	N/A	340	357
# of Three Strike cases convicted	N/A	109	114
# of sexual assault cases convicted	N/A	143	150
# of driving under the influence (DUI) cases convicted	N/A	1,823	1,914
*Note: It is difficult to determine conviction rates in these matters on a fiscal year basis. Cases may be filed during one fiscal period and are adjudicated during the next fiscal period.			
**Note: Includes cases ultimately dismissed for insufficient evidence, or in the interest of justice, or for other legal reasons.			

## Investigations Program

**Program Purpose:** To assist attorneys by conducting supplemental and pre-trial investigations of criminal and civil offenses, and to locate and return parentally abducted children.

**Total Expenditures:** \$1,538,511

**Total Staffing:** 14.0

- **Key Intended Outcome:** Attorneys will continue to receive the information and support necessary to present clear and concise cases and assist the court to enforce orders that parentally abducted children are returned to appropriate locations.

Investigations Indicators:	Actual 2002-03	Projected 2003-04	Target 2004-05
# of cases referred	2,821	2,850	2,900
# of parentally abducted children	14	14	16
% of children recovered	100%	100%	100%

## Victim Services Program

**Program Purpose:** To provide advocacy and assistance to witnesses and victims of crime and witnesses by obtaining restraining orders and assisting with restitution through the State Board of Control.

**Total Expenditures:** \$769,256

**Total Staffing:** 12.0

- **Key Intended Outcome:** Victims will continue to be aided during a time of crisis and assisted in their recovery.

Victim Services Indicators:	Actual 2002-03	Projected 2003-04	Target 2004-05
# of new victims assisted	1,604	1,600	1,600
# of restitution claims submitted on behalf of the victims	716	808	850

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## Bad Check Program

**Program Purpose:** To collect full payment for bad checks written to local businesses and merchants at no cost to the victims in order to assist merchants in the recovery of lost business proceeds.

**Total Expenditures:** \*\*\*

**Total Staffing:** \*\*\*

\*\*\*Note: Contracted to Computer Support Services for collection.  
Occasionally requires General Fund expenditures for prosecution.

- **Key Intended Outcome:** Merchants' losses through bad checks will be reduced.

Bad Check Indicators:	Actual 2002-03	Projected 2003-04	Target 2004-05
\$ recovered thus far	\$192,319	\$187,207	\$190,500
% of total checks recovered	75%	72%	72%